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Attorneys for Plaintiff

NO. \_\_\_\_\_ FILED  
A.M. 10:15 P.M. \_\_\_\_\_

MAR 07 2005

J. DAVID NAVARRO, Clerk  
By  INGA JOHNSON

**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

STATE OF IDAHO, DEPARTMENT OF )  
FINANCE, SECURITIES BUREAU, )

Plaintiff, )

vs. )

IDAHO BIG SKY TELECOM, A )  
PARTNERSHIP, BIG WEST TELECOM )  
CORPORATION, NICHOLAS F. CUNEO, )  
JR., BRANDON CLAREY, JAMES )  
BRAMBLE, AND THEODORE LEVITT, )

Defendants. )

Case No. CV OC 0404832D

**DEFAULT JUDGMENT**

In this action, Defendants Idaho Big Sky Telecom, a partnership, Big West Telecom Corporation, Nicholas F. Cuneo, Jr., Brandon Clarey, James Bramble, and Theodore Levitt, having been duly served with the Complaints and Summonses by publication, and Defendants

Idaho Big Sky Telecom, a partnership, Big West Telecom Corporation, Nicholas F. Cuneo, Jr., Brandon Clarey, James Bramble, and Theodore Levitt having failed to appear under I.R.C.P. 12(a), to plead or otherwise defend in this action, the legal time for answering having expired, the Default of the Defendants Idaho Big Sky Telecom, a partnership, Big West Telecom Corporation, Nicholas F. Cuneo, Jr., Brandon Clarey, James Bramble, and Theodore Levitt having been duly entered according to law, based upon the Affidavit of Joseph B. Jones, the pleadings and records on file herein, and pursuant to the prayer of Plaintiff's Verified Complaint,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. Defendants Idaho Big Sky Telecom, a partnership, Big West Telecom Corporation, Nicholas F. Cuneo, Jr., Brandon Clarey, James Bramble, and Theodore Levitt have violated the Idaho Securities Act;
2. Defendants Idaho Big Sky Telecom, a partnership, Big West Telecom Corporation, Nicholas F. Cuneo, Jr., Brandon Clarey, James Bramble, and Theodore Levitt are permanently enjoined from engaging in any acts, practices, courses of business, omissions, and misrepresentations which would constitute violations of the Idaho Securities Act, Title 30, Chapter 14, Idaho Code.
3. Defendants Idaho Big Sky Telecom, a partnership, Big West Telecom Corporation, Nicholas F. Cuneo, Jr., Brandon Clarey, James Bramble, and Theodore Levitt are permanently enjoined from engaging in any of the following acts and conduct:

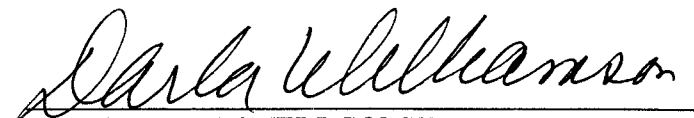
While engaged in or in connection with the offer, sale or purchase of any security:

- a. Employing any device, scheme or artifice to defraud any investors or prospective investors;
  - b. Making any untrue statement of a material fact or omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they are made, not misleading;
  - c. Engaging in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.
4. Defendants Idaho Big Sky Telecom, a partnership, Big West Telecom Corporation, Nicholas F. Cuneo, Jr., Brandon Clarey, James Bramble, and Theodore Levitt are prohibited from claiming the availability of, using, or offering or selling securities under any exemptions under the Idaho Securities Act without receiving the prior written consent of the Director of the Idaho Department of Finance.
5. Plaintiff is awarded a money judgment against Defendants Idaho Big Sky Telecom, a partnership, Big West Telecom Corporation, Nicholas F. Cuneo, Jr., Brandon Clarey, James Bramble, and Theodore Levitt, in the following amounts:
  - a. **\$100,000.00 against all of the Defendants, jointly and severally,** representing restitution to the investors named in the Complaint filed in this case, pursuant to Idaho Code § 30-1442(3)(a);
  - b. in addition to the award set forth in paragraph 5.a., penalties against each of the Defendants, pursuant to Idaho Code § 30-1442(3)(b), as follows:

- i. **\$240,000.00 penalty against Idaho Big Sky Telecom, a partnership;**
- ii. **\$160,000.00 penalty against Big West Telecom Corporation;**
- iii. **\$140,000.00 penalty against Nicholas F. Cuneo, Jr.;**
- iv. **\$140,000.00 penalty against Brandon Clarey;**
- v. **\$180,000.00 penalty against Theodore Levitt;**
- vi. **\$130,000.00 penalty against James Bramble;**

c. In addition to the awards set forth in paragraphs 5.a. and 5.b. above, **\$5,000.00 against the Defendants, jointly and severally**, representing the Plaintiff's reasonable attorneys fees incurred, and **\$2,500.00 against the Defendants, jointly and severally**, representing the Plaintiff's costs of investigation, pursuant to Idaho Code § 30-1442(3)(c).

Dated this ~~15th~~ <sup>9th</sup> day of ~~January~~ <sup>February</sup>, 2005.

  
HONORABLE ~~CHERI CORSEY~~  
DISTRICT JUDGE

**CLERK'S CERTIFICATE**

I HEREBY CERTIFY that on this 7 day of March, 2005, I served a true and correct copy of the foregoing DEFAULT JUDGMENT by depositing the same in the United States Mail, postage pre-paid, in an envelope addressed to:

Joseph B. Jones  
Deputy Attorney General  
State of Idaho  
Department of Finance  
P.O. Box 83720  
Boise, Idaho 83720-0031

Idaho Big Sky Telecom, a partnership  
374 Ansin Boulevard  
Hallandale, Florida 33009

Big West Telecom Corporation  
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James Bramble  
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Theodore Levitt  
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Hallandale, Florida 33009

J. DAVID NAVARRO

~~INGA JOHNSON~~

Deputy Clerk